

The Pocahontas Times.

Andrew & Norman Price, Owners.

"Montani Semper Liberi!"

Andrew Price, Editor

VOL. 16, NO. 11

MARLINTON, WEST VIRGINIA, OCTOBER 6, 1898.

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PHYSICIANS' CARDS.
DR. O. J. CAMPBELL,
DENTIST,
MONTEBET, VA.

Will visit Pocahontas County at least twice a year. The exact date of his visit will appear in this paper.

DR. J. H. WEYMOUTH,
RESIDENT DENTIST,
ELKINS, W. VA.

Will visit Pocahontas County every spring and fall. The exact date of each visit will appear in the Times.

THE COUNTERSIGN.
Black is the night; the wind among the pines
Maketh lament like one in home
less plight.
Toward the hills where you bright
camp-fire shines
I make my way alone, along the
night.
Shelter is there, and rest, compan-
ionship and light.
But woe is me! I hear the sentries'
tread!
The armed sentries round that
heavenly camp.
I may not pierce their charmed
lines ahead.
From out the shadows and the
creeping damp
I near with eager eyes, as moths
the evening lamp.

The challenge comes, sharp, stern:
"Halt! Who goes there?"
"A friend." In vain! The guard
stands unyielded.
"Advance, and give the counter-
sign!" I dare
All on one word and whisper
softly, "Christ."
O joy! O woe! One word—but
lo! it hath sufficed!
—Emma Herriek Weed, in New
York Independent.

County Sketches.

VII.

THE SCHEDULE.

All day Jonathan Pinchbeck had been journeying towards the county-seat on the back of his faithful gray mule. He was in trouble and was going to consult a lawyer. The sun was high when he rode into the village and hitched his mule in a fence-corner and prepared him a feast of the ears of corn spread out on the ground. Slipping the bit out of the mouth of the animal, he sat near and ate the snack he had prepared for his own refreshment. After securing his mule he went in search of his lawyer's office.

A month before he had considered himself highly independent of law and lawyers. He was a big strong man about thirty-five, unmarried. After several false starts he had finally managed to accumulate a goodly quantity of goods and chattels. He occupied forty acres of ground which he had cleared for the privilege of owning it for ten years and then returning it in its improved state to the owner. This is what we know as a lease, and the term is rarely used for any other kind of renting with us. He had cleared the land and built a good substantial house. He had his beloved mule, three cows, ten sheep, his household plunder, and "other things too numerous to mention," as the orthodox sale bill has it. He had money in his pocket, and he valued his possessions as only that man values them who has earned them by hard and continuous manual labor.

His lease was about to expire, but he was well fixed now and had dreamed of investing in land of his own.

He had had a shock a short time before. The constable had approached him and delivered a small piece of paper summoning him as surety on a note he had forgotten that he had signed. Nearly ten years before at a sale of a dead man's goods he had been the purchaser of a small bill of goods. He had given his note for six months and had offered Rube Mullins as security. Rube was a cattle buyer and he had bought some stock, and as he was considered very solvent the sheriff had accepted Jonathan as security for Rube as a mere matter of form.

Jonathan had lifted his note when it was due and had about forgotten the circumstance, but the note that Rube Mullins had given had been lying unpaid until Rube struck a succession of bad markets and became insolvent, and the amount due was \$250.00, interest and all, and all coming with crushing force on poor Jonathan, who regarded that amount as an independent fortune.

There could be no defence to the suit on the plain bond, and the magistrate very sympathetically entered the judgment, and, having no orders, told Jonathan that he would have twenty days breath-

ing spell to raise the money, before an execution was issued. The accumulations of twenty years would not pay the debt. Jonathan had paid every man he owed, and a debt of this kind was enough to make him a desperate or despairing man.

Then a friend who had been down the dark valley of debt came and whispered in his ear to "take what the law allowed him"; when they came to levy, to "schedule" and save his property.

He referred to the humane law of West Virginia, where in the interests of good government it is deemed expedient to allow a man to retain two hundred dollars' worth of personal property, which can not be sold from him for simple debt, no matter how much he has jeopardized or pledged it. He can not be deprived of it, no matter how often he has "waived" it in writing. The lawyers call it the personal property exemption, but it is more generally known as "scheduling"; and "taking what the law allows." Some chance times the debtor does not take the benefit of it, but as a rule the poor man who has to so shield himself believes that the legislature knew best when they provided a safeguard against his being made desperate by abject poverty and falling from good citizenship.

Jonathan had thought of that, and while he did not like to do it for it was not a proceeding that tended to the good fame of the debtor, he finally decided it was his only chance to escape the iniquitous debt. Why had n't the sheriff sued Rube Mullins for it while he was good? indignantly asked the surely again and again, and so he justified himself.

He found his legal adviser, who was a young lawyer waiting for the age and ripeness the attorney requires before he becomes the legal adviser of a sufficient number of people to make life interesting. J. K. Burnett, attorney-at-law, was sitting in his office, his headquarters, for the weary life he led. For four years he had been trying to get enough money to pay his landlady the board bill he owed her, so that he could change boarding places. But as he accumulated enough to wipe out some of the indebtedness, time rolled on, keeping the bill about the same size. He was behind a full year of his living, and his landlady treated him like a dog and gave him any old thing to eat, and he was filled with indignation and afraid to say a word. When Jonathan entered his office and said he wanted him to tend to a little matter of business for him, he thought it might be a chancery suit, for it was about the time of the year to plant bills in chancery, but he was disappointed.

"I want you to help me schedule," said Jonathan.

"The devil you do! Now let me tell you something: there was a man in here this morning that wanted to plead the statute of limitations on a bill for his child's coffin, and I let him hire me. A fellow employed me the first of this week to defend him for beating his wife, and I took his case. This evening I am going to put a widow woman and four small children out in the big road; but I'll be hanged if I do n't draw the line somewhere. I know I ain't the Nestor of this bar, but I'll be eternally jumped up if I intend to be the next egg. Two years ago a man came in here and I fixed up his schedule, and he swore to it before me, as I am a notary public. The lawyer who had sued him was the prosecuting attorney. The fellow that scheduled had forgotten to put in a claim he had against a man, and after he had sworn the list contained all his assets he sued the man and got a judgment. Then the prosecuting attorney jumped on him and indicted him for swearing to a lie. They convicted him and he went to jail for six months, and he rotated around all over the country that I got him into his trouble, and he has never paid me one cent for the whole thing. Did you bring a five-dollar along with you to kind-

er make it easy for a fellow to do some dirty work?"

"Well, now, I ain't got that much with me, but I did manage to get two dollars for you, and if you would just fix the papers a couple of dollars' worth I could get the balance this fall."

"Well, give me the money, and do n't you fool me about the other three dollars, and if you have got a case a white man can handle why I'll do what I can for you. What kind of a thieving arrangement have you got?"

"Taint that, mister; taint that," said Jonathan. "It's a security debt and all I want is time to pay it in."

"If that's the case," said the lawyer, remarkably mollified by the weight of the two silver dollars in his pocket, "I'd help any man in the world to evade a security debt. Quo warranto habeas corpus mandamus certiorari, Mr Pinchbeck, which means the Law that saddles it on you may afford you an avenue for escape."

"You are a married man, I suppose?"

"No sir, never was married," replied Jonathan, cheerfully.

"Well, sir, do you know that only married men or parents can take the benefit of this law? You ain't a parent, either, then?"

"The jury said I war n't. I paid my lawyer ten dollars in money and we winned case."

"Then, my friend, the sooner you get out of here the better."

"But how about my two dollars?"

"Oh, that!" said the lawyer carelessly, "the law says *sic transit gloria mundi*, meaning that which is paid to a lawyer through mistake in retaining him is actually his. It is settled in Scott v. Burns in 20 West Virginia, you know."

"Now see here, you do n't work no slich tricks on me—you either do something fer that two dollars, or I'll take it outen yer hide," and the happy-go-lucky lawyer was brought up short and had more respect for his client accordingly.

After walking the floor and talking over the whole case and finding no loop-hole for escape from the consequences of debt, the lawyer had an idea.

"If there was a little more time," he said, "you might get married before they got the execution out. Men ought to get married anyway,"—and the lawyer's truant thoughts turned to his own true love, who seemed to be unable to determine whether Lawyer Barnett was the best she could do or not.

"How much time have I got?" asked Jonathan.

"Twenty days or less."

"I know a gal that I would like powerful to git, but I never said much to her about hit. 'Bout two year ago I jumped on a rattlesnake what was coiled fer to strike her, and after that she kinder looked up at me sometimes like she might keef fer me. I am the only single man in the neighborhood what never courted her none, and she says I sinit got much of a show. Taint been a month sence I ast her what chance I had, and she said she jest knowed she could n't marry me,—not if I came with the papers and the preacher,—no matter how she tried she could n't bring herself to say the words. I ast her if she would try, and she said she jest knowed she could n't be the next egg. Two years ago a man came in here and I fixed up his schedule, and he swore to it before me, as I am a notary public. The lawyer who had sued him was the prosecuting attorney. The fellow that scheduled had forgotten to put in a claim he had against a man, and after he had sworn the list contained all his assets he sued the man and got a judgment. Then the prosecuting attorney jumped on him and indicted him for swearing to a lie. They convicted him and he went to jail for six months, and he rotated around all over the country that I got him into his trouble, and he has never paid me one cent for the whole thing. Did you bring a five-dollar along with you to kind-

back and we will schedule. Never heard of such a case in my life. You were accepted man, and never knew it."

A light broke in the face of the mountaineer, and it seemed that many things were explained to him that had been mysteries before. After a little argument, the lawyer induced the county clerk to trust him with a blank marriage-license, which he in turn filled out for Jonathan and his girl and gave to him. In case their scheme miscarried the secret would be safe.

Three days after that Jonathan once more rode into town on his gray mule. He found his lawyer, produced a ten-dollar bill, handed to him and said:

"That aint a sarcumstance to what I owe you."

"Married or unmarried?" asked the lawyer.

"I'm a married man, and my wife says you've got more gump-tion than any lawyer in the county, and that I aint got any more sense than the law allows me, but that I'll do for her. Now do n't you tell a livin' soul about it, and I'll tell you what happened. I stopped at Brushtown and told the county rider to come up on the mountain fer supper, fer he was wanted bad. He kinder grinned, but never said a word. I rode in a little fore sundown, and I seen Ellen in the big house by herself. She set me a cheer and ast me why I had n't been to see 'em for so long. Said her pa blamed her fer drivin' me off. I says to her, 'Ellen, I have come to marry you and ef you send me down the mountain agin I'll go West, and you wont see me no more. The preacher'll be here to supper, and I tuk the papers out. Will you send me away agin?'

"Ellen kinder held down her head and abused her pa fer bein' so hard on her and blamin' her with drivin' me off, and said that I was a crazy old loon fer thinking anybody wanted to marry me, but the upshot of the whole thing was that the preacher he come and said the words; and I come down to schedule the property."

We are pleased to be able to relate that while the schedule was made and the execution defeated, that the lawyer was able to compound the debt almost immediately for fifty dollars, which Rube Mullins paid when drunk and conscience-stricken, and Jonathan became a free man again, and has never had any further experiences as surety or as an insolvent debtor, nor been compelled to shelter behind the exemption statute and take what the law allows him.

The Curse of Familiarity.

In their strife for mental equality with men woman have unintentionally broken down a fine reserve of manner which previously lent them an air of mystery, of superiority, in the best sense, than which no element is more successful in holding a man's interest, love and respect. The young woman who greets a man friend with "Hello, old man" or its equivalent in modern slang, might in return be called a "peach," but she would be a peach with the bloom rubbed off.

Every day I become more convinced that at the root of the increasing evidences of widespread marital unhappiness would be found the familiarity that breeds contempt. When a boy climbs a tree for green apples or cherries, whichever he prefers, he constantly uses a better one higher up nearby, and his reach, until he nearly breaks his neck to get the one out of his reach, partly hidden by foliage. And so man's ideal woman hangs at the tip-top of the tree of knowledge. If the ideal drops into his hands he throws it to the ground as worthless and begins to climb again. Would it be reasonable to think, after working so hard for cherries that he would value them long if he ate a wraith of them?—Frances Evans, in the October Ladies' Home Journal.

Teachers' Examinations.
The second and last examination for the present school year will be held at Marlinton, W. Va., October 7 and 8, 1898.
D. L. BARLOW.

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BIOGRAPHIC NOTES.

The Gumm Relationship in Pocahontas.—The Descendants of William A. Gumm.

BY W. T. F.

The Gumm relationship in Pocahontas consists of two groups, descendants of Jacob Gumm and William A. Gumm respectively. The group considered in this paper trace their ancestry to William A. Gumm, who left Highland county, then Pendleton, in 1832, and located on the Redden place near Green Bank, now occupied by John Grogg. In 1841 Mr Gumm moved to Back Alleghany and settled in the woods, and opened up lands now occupied by his sons James and McBride.

Mrs Gumm was Elizabeth, daughter of James Higgins, of Pendleton, now Highland. Mr and Mrs Gumm were the parents of one daughter and two sons: Margaret Elsie, James Henry and Francis McBryde.

Margaret was first married to James A. Logan, and first settled on a section of the homestead. Her children were John Commodore, who died in 1861 while quite young and Elizabeth, who became Mrs E. O. Moore and lives on Deer Creek, near Green Bank.

By her second marriage Mrs Logan became Mrs Gragg and lives on Back Mountain near the homestead. It is her mother-in-law, Mrs Zebulon Gragg, who is believed to be the oldest person now living in our county.

James H. Gumm first married Sally Ann, daughter of Zebulon Gragg, and settled on a part of the homestead.

His second marriage was with Milda Hoover, daughter of Abel Hoover, near Gillespie. James H. Gumm was a Confederate soldier attached to the 62nd Regiment of Mounted Infantry that formed a part of General Imboden's command.

Francis McBryde Gumm first married Elizabeth Peck, from Lewis county, and settled on the homestead. There were two children by this marriage, James Floyd and Virginia Elizabeth, who are living near Montgomery City, Montgomery County, Missouri.

His second marriage was with Caroline Amanda, daughter of Ellis Houchin, whose wife was Comfort Slavin Higgins. The Houchin family was from East Virginia. McBryde Gumm was a Confederate soldier and went out with the Green Bank company, known as Company G, 31st Virginia Infantry. He volunteered in May 1861 and served throughout the war, and as he was wounded three times he is to be remembered as a battle scarred veteran of that mysterious and strange war between the States.

Those who are familiar with the history of the 31st Virginia Infantry need not be reminded that no regiment in the service of the Confederacy has a more interesting and honorable record, or more frequently posted in the "deadly imminent breach" or more relied on in dire emergencies.

Fortunately Mr Gumm's wounds were slight and did not disable him for any length of time. The first wound was received in the bloody affair at Spotsylvania Court House. The second wound was inflicted at Liberty, Bedford county, when General Hunter was repulsed at Lynchburg. The third wound was received at the battle of Winchester. Instead of a wound he had his mustache neatly and closely trimmed off by a minnie ball at the battle of Cold Harbor. Clippers may have done the trimming a little more in style, but not near so quickly.

He was twice a prisoner of war. He was captured the first time at Urish Hevener's in 1861, and paroled. The second time he was taken he was at his home on Back Mountain in October 1864. This time instead of being released on parole, he was taken to Clarksville, where he suffered many privations, and had a "plague of a time of it." He blames the cook, however, for the most of the hardships attending his imprisonment. It seems

that the cook was infected with the spirit of speculation that was so much in the air during war times and saw a chance to realize some pocket money from the rations he drew at the commissary. While the cook would draw very liberal rations he was excessively economical in feeding them out.

There were but two meals a day, breakfast and supper. For breakfast the bill of fare consisted of a slice of very light bread, about four fingers broad, half tin cup of water and a slice of bacon two fingers broad and not much longer. Supper was served at 4 P. M., consisting uniformly of a tin cup of coffee and another small slice of bread, but no meat. It is but just to remark that all this was without the knowledge of the Federal officer in charge. An individual, who had been in the Southern service, was the cook and took advantage of this opportunity to make a little something for himself. He had found out that Confederates were in the habit of living on little or nothing, and to feed such was just to his advantage. He would make a nice thing of it and they would not know the difference, and would think they had gotten all that would be allowed.

Thus with the cheerful assistance of McBryde Gumm, the compiler of these sketches has had it in his power to illustrate the family history of William A. Gumm, a worthy citizen of our county in his day. All who remember William A. Gumm have a good word for him as a neighbor, friend and substantial, prosperous citizen. The way he came to have a middle name is a little out of the usual order. When Drukum & Co. had a store at Dunmore William Gumm was a liberal dealer. There was another William Gumm from the vicinity of Green Bank, and the merchant, to note the difference and not get their accounts mixed called the one from Back Mountain, William Alleghany on his books. In settling up he had Mr Gumm to sign his name as William A. Gumm.

From that circumstance he always thus signed his name in business affairs and in correspondence and so got his middle name Alleghany long after he became a grown person. In studying the origin of names it is interesting to find that a large number of names have originated from where persons happened to live.

Forty-six years last August the writer spent an hour or two at his newly made home in the woods, and ever since there has been a beautiful picture in his mind of a truly contented man with his home and surroundings, endowed with the power of making himself and all around him pleasant and cheerful.

Notice.
Notice is hereby given that the undersigned will either rent or sell the land and mill property formerly belong to my deceased brother, J. W. Smith. For further information call on JOSEPH S. SHINN, Mill Point, W. Va.

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One of the leading book houses in the State is the Acme Book Store of Morgantown, W. Va. They buy and sell second-hand University Text-Books, and in this way save students many dollars in the course of a year. If you go to the University this year give the Acme people a call.

If any students go from this county to the West Virginia University this year they may be glad to know that The Acme Book Store, of Morgantown, W. Va., is prepared to furnish them with University Text-Books, second-hand, and shelf-worn. You can save a great deal by buying all your school supplies of them.